COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Doug Domenech
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

Permit No: VA0004162
Effective Date: November 16, 2010
Modification Date: April 10, 2012
Expiration Date: November 15, 2015

AUTHORIZATION TO DISCHARGE UNDER THE

VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM

AND

THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this cover page, and Parts I and II of this permit, as set forth herein.

Owner: International Paper Company
Facility Name: International Paper - Franklin Mill
City: Franklin
County: Isle of Wight
Facility Location: 34040 Union Camp Drive, Franklin, VA 23851

The owner is authorized to discharge to the following receiving stream:

Stream: SEE ATTACHMENT I
River Basin:
River Subbasin:
Section:
Class:
Special Standards:

Maria R. Nold

April 10, 2012
Date

ATTACHMENT I

Outfall No(s).	Receiving Stream
001, 002	Blackwater River Basin: Chowan and Dismal Swamp Subbasin: Chowan River Section: 1 Class: II Special Standard(s): NEW-21
006, 007, 010, 012, 013, 014	Washole Creek Basin: Chowan and Dismal Swamp Subbasin: Chowan River Section: 2 Class: VII Special Standard: NEW-21
008 009, 011	Kingsale Swamp Basin: Chowan and Dismal Swamp Subbasin: Chowan River Section: 2 Class: VII Special Standard: NEW-21
015	Beaverdam Swamp Basin: Chowan and Dismal Swamp Subbasin: Chowan River Section: 2 Class: VII Special Standard: NEW-21

PART I

A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. From the Issuance of the permit and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall(s): 001 (process wastewater from "D" pond).

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS [a]		
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD) [b]	NL	NA	NA	NL	1/Day	Measured
Flow, Seasonal (MG) [b]	NA	NA	NA	14,000	1/Month	Measured
pH (S.U.)[d]	NA	NA	6.0	9.0	1/Week	Grab
Total Suspended Solids (mg/l)[c][d]	136	NA	NA	272	1/Week	Grab
Total Suspended Solids (x 10^6) (lb/sea)	NA	NA	NA	2.88	1/Month	Grab
BOD_5 (mg/l)[c][d]	66	NA	NA	132	1/Week	Grab
BOD_5 (x 10^6) (lb/sea)	NA	NA	NA	4.4	1/Month	Grab
COD (mg/l)	NL	NA	NA	NL	1/Month	Grab
Color, PCU	NL	NA	NA	NL	1/Week	Grab
Total Nitrogen (mg/l)	NL	NA	NA	NL	1/Month	Grab
Total Phosphorus (mg/l)	2	NA	NA	NL	1/Week	Grab
Total Phosphorus (x 10^6) (lb/sea)	NA	NA	NA	0.2	1/Month	Grab
Ammonia-Nitrogen (NH_3-N)(mg/l) [c]	2.15	NA	NA	3.19	1/Week	Grab
Ammonia-Nitrogen (NH_3-N) (x 10^6) (lb/sea) [c]	0.22	NA	NA	0.32	1/Month	Grab
2,3,7,8-TCDD (pg/l) [a] [c]	0.12	NA	NA	0.12	1/Season	Grab
2,3,7,8-TCDD (x 10^{-5}) (lb/sea) [a] [c]	NA	NA	NA	1.1	1/Season	Grab
2,3,7,8-TCDF (pg/l) [a] [c]	NA	NA	NA	NL	1/Season	Grab
2,3,7,8-TCDF (x 10^{-5}) (lb/sea) [a] [c]	NA	NA	NA	NL	1/Season	Grab
AOX (mg/l) [c][d]	133	NA	NA	280	1/Month	Grab
AOX (lb/sea) [c]	NL	NA	NA	723,000	1/Month	Grab

NA = Not Applicable
NL = No limit, however, reporting is required

1/Season = November 1 - March 31

PART I

A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - Outfall 001 (Continued)

[a] See Part I.B.11 for additional information concerning sampling methodology.
[b] Flow rate shall be measured by daily recording of the settings on properly calibrated discharge gates.
[c] See Parts I.B.6 and I.B.7 for additional information concerning quantification levels (QLs) and compliance reporting.
[d] See Part I.B.9. for effluent monitoring frequencies.

Upon issuance of the permit, Discharge Monitoring Reports (DMRs) shall be submitted to the regional office at the frequency required by the permit regardless of whether an actual discharge occurs. In the event that there is no discharge for the monitoring period, then "no discharge" shall be reported on the DMR.

2. There shall be no discharge of floating solids or visible foam in other than trace amounts.

PART I

A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. From the permit's effective date and lasting until permit expiration, the permittee is authorized to discharge from outfall(s): 103 (F bleach plant effluent).

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS [a]	
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD) [b]	NL	NA	NA	NL	1/Month	Measured
2,3,7,8-TCDD (pg/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
2,3,7,8-TCDF (pg/l) [c]	NA	NA	NA	31.9	1/Year	Grab
Chloroform (ug/l) [c]	NL	NA	NA	NL	1/Year	Grab
Chloroform (g/day) [c]	3650	NA	NA	6100	1/Year	Grab
Trichlorosyringol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
3,4,5-Trichlorocatechol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
3,4,6-Trichlorocatechol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
3,4,5-Trichloroguaiacol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
3,4,6-Trichloroguaiacol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
4,5,6-Trichloroguaiacol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
2,4,5-Trichlorophenol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
2,4,6-Trichlorophenol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
Tetrachlorocatechol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
Tetrachloroguaiacol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
2,3,4,6-Tetrachlorophenol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
Pentachlorophenol (ug/l) [c]	NA	NA	NA	Non-Detect	1/Year	Grab
Kappa Annual Average-Softwood [d]	20	NA	NA	NA	1/Month	Grab
Kappa Monthly Average [d]	NL	NA	NA	NA	1/Month	Grab

1/Year = January 1 - December 31

NA = Not Applicable
NL = No limit, however, reporting is required
Non-Detect = Non-Detectable at the required QL

PART I

A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - Outfall 103 (Continued)

[a] See Part I.B.15. for additional information concerning sampling methodology.
[b] Flow rate shall be determined by measurement devices when available, and in the absence of such devices, by flow balances around and within the bleach plant sewer. All information used to determine flow rates shall be retained in accordance with Part II.B.
[c] See Parts I.B.6 and I.B.7 for additional information concerning quantification levels (QLs) and compliance reporting.
[d] See Part I.B.16 For additional information concerning Kappa Number measurement and reporting.

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

NAME International Paper - Franklin Mill
ADDRESS 34040 Union Camp Dr
Franklin VA 23851
FACILITY LOCATION 34040 Union Camp Dr, Franklin, VA 23851

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

VA0004162	001
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD						
	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			

Industrial Major 03/14/2012

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)
Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach VA 23462

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD				*********	*********	*********				
	REQRMNT	NL	NL	MGD	*********	*********	*********			1/DAY	MEAS
002 PH	REPORTD	*********	*********			*********					
	REQRMNT	*********	*********		6.0	*********	9.0	SU		1/W	GRAB
008 COD	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	MG/L		1/M	GRAB
012 PHOSPHORUS, TOTAL (AS P)	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	2	NL	MG/L		1/W	GRAB
013 NITROGEN, TOTAL (AS N)	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	MG/L		1/M	GRAB
284 COLOR, PCU	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	PCU		1/W	GRAB
305 AMMONIA, AS N NOV-MAR	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	2.15	3.19	MG/L		1/W	GRAB
306 2,3,7,8-TCDD	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	0.12	0.12	PG/L		1/SEA	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
see permit for QL values

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

OPERATOR IN RESPONSIBLE CHARGE			DATE		
TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

NAME International Paper - Franklin Mill
ADDRESS 34040 Union Camp Dr
Franklin VA 23851
FACILITY LOCATION 34040 Union Camp Dr, Franklin, VA 23851

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

VA0004162	001
PERMIT NUMBER	DISCHARGE NUMBER

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		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
307 2,3,7,8-TETRACHLORODIBENZOFURAN (1	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	PG/L		1/SEA	GRAB
381 BOD5, NOV-MAR	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	66	132	MG/L		1/W	GRAB
422 TSS, NOV-MAR	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	136	132	MG/L		1/W	GRAB
633 BOD5 **6	REPORTD	*********			*********	*********	*********				
	REQRMNT	*********	4.4	L/SE	*********	*********	*********			1/M	GRAB
634 TSS **6	REPORTD	*********			*********	*********	*********				
	REQRMNT	*********	2.88	L/SE	*********	*********	*********			1/M	GRAB
635 AMMONIA AS N **6	REPORTD				*********	*********	*********				
	REQRMNT	0.22	0.32	L/SE	*********	*********	*********			1/M	GRAB
636 PHOSPHORUS,TOTAL **6	REPORTD	*********			*********	*********	*********				
	REQRMNT	*********	0.2	L/SE	*********	*********	*********			1/M	GRAB
637 2,3,7,8-TCDD **-5	REPORTD	*********			*********	*********	*********				
	REQRMNT	*********	1.1	L/SE	*********	*********	*********			1/SEA	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
see permit for QL values

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

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PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

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		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
638 2,3,7,8-TCDF **-5	REPORTD	*********			*********	*********	*********				
	REQRMNT	*********	NL	L/SE	*********	*********	*********			1/SEA	GRAB
737 AOX (Adsorbable Organic Halides)	REPORTD				*********						
	REQRMNT	NL	723000	L/SE	*********	133	280	MG/L		1/M	GRAB
758 FLOW, SEASONAL	REPORTD	*********			*********	*********	*********				
	REQRMNT	*********	14000	MG	*********	*********	*********			1/M	MEAS
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
see permit for QL values

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

OPERATOR IN RESPONSIBLE CHARGE			DATE		
TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

This report is required by your VPDES permit and by law. (See, e.g., the Code of Virginia of 1950 §62.1-44.5 and 9 VAC 25-31-50.) Failure to report or failure to report truthfully can result in civil penalties of $32,500 per violation, per day and felony prosecutions which can carry a 15 year term.

DISCHARGE MONITORING REPORT (DMR) - GENERAL INSTRUCTIONS

1. Complete this form in permanent ink or indelible pencil. The use of 'correction fluid/tape' is not allowed.
2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".
3. For those parameters where the "permit requirement" spaces have a requirement or limitation, provide data in the "reported" spaces in accordance with your permit.
4. Enter the average and maximum quantities and units in the "reported" spaces in the columns marked "Quantity or Loading".
   KG/DAY = Concentration (mg/L) x Flow (MGD) x 3.785 G/D (Grams/Day) = Concentration (mg/L) x Flow (MGD) x 3785
5. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces in the columns marked "Quality or Concentration".
6. For all parameters enter the number of samples which do not comply with the maximum and/or minimum permit requirements in the "reported" space in the column marked "No. Ex." (Number of Exceedances). If none, enter "0". Do NOT include monthly average violations in this field. Include any Maximum 7-Day Average and Maximum Weekly Average violations in this field. Permittees with continuous pH, or temperature monitoring requirements should consult the permit for what constitutes an exceedance and report accordingly.
7. You are required to sample (at a minimum) according to the Sample Frequencies and Sample Types specified in your permit.
8. Enter the actual frequency of analysis for each parameter (number of times per day, week, month, etc.) in the "reported" space in the column marked "Frequency of Analysis".
9. Enter the actual type of sample (Grab, 8HC, 24HC, etc) collected for each parameter in the "reported" space in the column marked "Sample Type".
10. Enter additional required data or comments in the space marked "additional permit requirements or comments". If additional required data or comments are appended to the DMR, reference appended correspondence in this field.
11. Record the number of bypasses during the month, the total flow in million gallons (MG) and BOD5 in kilograms (KG) in the proper columns in the section marked "Bypasses and Overflows".
12. The operator in responsible charge of the facility should review the form and sign in the space provided. If the plant is required to have a licensed operator or if the operator in responsible charge of the facility is a licensed operator, the operator's signature and certificate number must be reported in the spaces provided.
13. The principal executive officer then reviews the form and must sign in the space provided and provide a telephone number where he/she can be reached. Every page of the DMR must have an original signature.
14. Send the completed form(s) with original signatures to your Department of Environmental Quality Regional Office by the 10th of each month unless otherwise specified in the permit.
15. You are required to retain a copy of the report for your records.
16. Where violations of permit requirements are reported, attach a brief explanation in accordance with the permit requirements decribing causes and corrective actions taken. Reference each seperate violation by date.
17. If you have any questions, contact the Department of Environmental Quality Regional Office listed on the DMR.

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

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ADDRESS 34040 Union Camp Dr
Franklin VA 23851
FACILITY LOCATION 34040 Union Camp Dr, Franklin, VA 23851

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

VA0004162	103
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD						
	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			

Industrial Major 03/14/2012

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5636 Southern Boulevard
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NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD				*********	*********	*********				
	REQRMNT	NL	NL	MGD	*********	*********	*********			1/M	MEAS
210 PENTACHLOROPHENOL	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	UG/L		1/YR	GRAB
223 CHLOROFORM (AS CHCL3)	REPORTD				*********						
	REQRMNT	3650	6100	G/D	*********	NL	NL	UG/L		1/YR	GRAB
306 2,3,7,8-TCDD	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	PG/L		1/YR	GRAB
307 2,3,7,8-TETRACHLORODIBENZOFURAN (I	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	31.9	PG/L		1/YR	GRAB
601 2,4,5-TRICHLOROPHENOL	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	UG/L		1/YR	GRAB
602 2,4,6-TRICHLOROPHENOL	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	UG/L		1/YR	GRAB
731 4,5,6-TRICHLOROGUAIACOL	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	UG/L		1/YR	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
see permit for QL values

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

OPERATOR IN RESPONSIBLE CHARGE			DATE		
TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

NAME International Paper - Franklin Mill
ADDRESS 34040 Union Camp Dr
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FACILITY LOCATION 34040 Union Camp Dr, Franklin, VA 23851

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DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

VA0004162	103
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD						
	YEAR	MO	DAY		YEAR	MO	DAY
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Industrial Major 03/14/2012

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)
Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach VA 23462

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
732 3,4,6-TRICHLOROCATECHOL	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	UG/L		1/YR	GRAB
733 3,4,5-TRICHLOROCATECHOL	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	UG/L		1/YR	GRAB
734 3,4,5-TRICHLOROGUAIACOL	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	UG/L		1/YR	GRAB
735 2,3,4,6-TETRACHLOROPHENOL	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	UG/L		1/YR	GRAB
736 3,4,6-TRICHLOROGUAIACOL	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	ND	UG/L		1/YR	GRAB
747 KAPPA NUMBER MONTHLY AVERAGE	REPORTD	*********	*********		*********		*********				
	REQRMNT	*********	*********		*********	NL	*********			1/M	GRAB
749 KAPPA NUMBER ANNUAL AVERAGE - SOFTWOOD	REPORTD	*********	*********		*********		*********				
	REQRMNT	*********	*********		*********	20	*********			1/M	GRAB
	REPORTD										
	REQRMNT									*******	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
see permit for QL values

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

OPERATOR IN RESPONSIBLE CHARGE			DATE		
TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

This report is required by your VPDES permit and by law. (See, e.g., the Code of Virginia of 1950 §62.1-44.5 and 9 VAC 25-31-50.) Failure to report or failure to report truthfully can result in civil penalties of $32,500 per violation, per day and felony prosecutions which can carry a 15 year term.

DISCHARGE MONITORING REPORT (DMR) - GENERAL INSTRUCTIONS

1. Complete this form in permanent ink or indelible pencil. The use of 'correction fluid/tape' is not allowed.
2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".
3. For those parameters where the "permit requirement" spaces have a requirement or limitation, provide data in the "reported" spaces in accordance with your permit.
4. Enter the average and maximum quantities and units in the "reported" spaces in the columns marked "Quantity or Loading".
   KG/DAY = Concentration (mg/L) x Flow (MGD) x 3.785 G/D (Grams/Day) = Concentration (mg/L) x Flow (MGD) x 3785
5. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces in the columns marked "Quality or Concentration".
6. For all parameters enter the number of samples which do not comply with the maximum and/or minimum permit requirements in the "reported" space in the column marked "No. Ex." (Number of Exceedances). If none, enter "0". Do NOT include monthly average violations in this field. Include any Maximum 7-Day Average and Maximum Weekly Average violations in this field. Permittees with continuous pH, or temperature monitoring requirements should consult the permit for what constitutes an exceedance and report accordingly.
7. You are required to sample (at a minimum) according to the Sample Frequencies and Sample Types specified in your permit.
8. Enter the actual frequency of analysis for each parameter (number of times per day, week, month, etc.) in the "reported" space in the column marked "Frequency of Analysis".
9. Enter the actual type of sample (Grab, 8HC, 24HC, etc) collected for each parameter in the "reported" space in the column marked "Sample Type".
10. Enter additional required data or comments in the space marked "additional permit requirements or comments". If additional required data or comments are appended to the DMR, reference appended correspondence in this field.
11. Record the number of bypasses during the month, the total flow in million gallons (MG) and BOD5 in kilograms (KG) in the proper columns in the section marked "Bypasses and Overflows".
12. The operator in responsible charge of the facility should review the form and sign in the space provided. If the plant is required to have a licensed operator or if the operator in responsible charge of the facility is a licensed operator, the operator's signature and certificate number must be reported in the spaces provided.
13. The principal executive officer then reviews the form and must sign in the space provided and provide a telephone number where he/she can be reached. Every page of the DMR must have an original signature.
14. Send the completed form(s) with original signatures to your Department of Environmental Quality Regional Office by the 10th of each month unless otherwise specified in the permit.
15. You are required to retain a copy of the report for your records.
16. Where violations of permit requirements are reported, attach a brief explanation in accordance with the permit requirements decribing causes and corrective actions taken. Reference each seperate violation by date.
17. If you have any questions, contact the Department of Environmental Quality Regional Office listed on the DMR.

PART I

A. LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall(s): 002 (storm water runoff from north rail yard area); 006,007(storm water runoff from south end of facility); 008, 009, 011 (storm water runoff from natural areas outside of landfill dike); 012, 013 (storm water runoff from trailer parking areas); 014 (storm water runoff from gravel construction material and trailer storage lots)

Such discharges shall be limited and monitored by the permittee as specified below:

THESE OUTFALLS SHALL CONTAIN ONLY STORM WATER RUNOFF ASSOCIATED WITH A REGULATED INDUSTRIAL ACTIVITY WHERE NO MONITORING IS REQUIRED INCLUDING VISUAL MONITORING. THERE SHALL BE NO DISCHARGE OF PROCESS WASTEWATER FROM THESE OUTFALLS. THE PERMITTEE SHALL IMPLEMENT PROPER STRUCTURAL AND/OR NON-STRUCTURAL BMP's TO CONTROL POLLUTANTS FROM THESE OTFALLS. SEE PART I.D.

See Part I.B.19. for monitoring requirements for outfall 009.

2. There shall be no discharge of floating solids or visible foam in other than trace amounts.

PART I

A. LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall(s): 010 and 015 (untreated fresh groundwater resulting from periodic flushing of the supply line)

Such discharges shall be limited and monitored by the permittee as specified below:

THESE OUTFALLS SHALL CONTAIN ONLY UNTREATED FRESH GROUNDWATER WHERE NO MONITORING IS REQUIRED. THERE SHALL BE NO DISCHARGE OF PROCESS WASTEWATER OR STORM WATER FROM THESE OUTFALLS.

2. There shall be no discharge of floating solids or visible foam in other than trace amounts.

B. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

1. Nutrient Enriched Waters Reopener

This permit may be modified or, alternatively, revoked and reissued to include new or alternative nutrient limitations and/or monitoring requirements should the State Water Control Board adopt nutrient standards for the waterbody receiving the discharge or if a future water quality regulation or statute requires new or alternative nutrient control.

2. Total Maximum Daily Load (TMDL) Reopener

This permit shall be modified or, alternatively, revoked and reissued if any approved wasteload allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the facility that are not consistent with the permit requirements.

3. Licensed Operator Requirement

The permittee shall employ or contract at least one Class I licensed wastewater works operator for this facility. The license shall be issued in accordance with Title 54.1 of the Code of Virginia and the regulations of the State Water Control Board for Waterworks and Wastewater Works Operators. The permittee shall notify the Tidewater Regional Office in writing whenever he is not complying, or has grounds for anticipating he will not comply with this requirement. The notification shall include a statement of reasons and a prompt schedule for achieving compliance.

4. Operations and Maintenance (O & M) Manual (Industrial)

An Operations and Maintenance (O & M) Manual shall be developed and submitted to the DEQ Tidewater Regional Office for approval. This O&M Manual shall include descriptions of the treatment works operations and its contributing sources, and practices necessary to achieve compliance with this permit. The Manual shall specifically address: treatment system operation; routine and emergency maintenance; wastewater and/or storm water collection, treatment and disposal/discharge; permitted outfall locations; effluent sampling and preservation procedures; laboratory testing, analysis and recording of results; submittal and retention of all records, reporting forms and testing results; and a listing of the personnel responsible for the above activities. Also included in the Manual shall be a list of facility, local and state emergency contacts; procedures for reporting and responding to any spills/overflows/ treatment works upsets; a copy of the VPDES/VPA permit; and copies of all reporting forms. Once approved, this Manual shall become an enforceable condition of this permit. Future changes to the facility must be addressed by the submittal of a revised O & M Manual. Non compliance with the O & M Manual shall be deemed a violation of the permit.

Manual Due: No later than November 10, 2013

5. Notification Levels

The permittee shall notify the Department as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

(1) One hundred micrograms per liter (100 ug/l);
(2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
(4) The level established by the State Water Control Board.

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

(1) Five hundred micrograms per liter (500 ug/l);
(2) One milligram per liter (1 mg/l) for antimony;
(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application.
(4) The level established by the State Water Control Board.

6. Quantification Levels Under Part I.A.

a. The maximum quantification levels (QL) shall be as follows:

Effluent Characteristic		Quantification Level
Ammonia-N		0.2 mg/l
Chloroform		10 ug/l
2,3,7,8-TCDD	1613	10 pg/l
2,3,7,8-TCDF	1613	10 pg/l
Trichlorosyringol	1653	2.5 ug/l
3,4,5-Trichlorocatechol	1653	5.0 ug/l
3,4,6-Trichlorocatechol	1653	5.0 ug/l
3,4,5-Trichloroguaiacol	1653	2.5 ug/l
3,4,6-Trichloroguaiacol	1653	2.5 ug/l
4,5,6-Trichloroguaiacol	1653	2.5 ug/l
2,4,5-Trichlorophenol	1653	2.5 ug/l
2,4,6-Trichlorophenol	1653	2.5 ug/l
Tetrachlorocatechol	1653	5.0 ug/l

Tetrachloroguaiacol	1653	5.0 ug/l
2,3,4,6-Tetrachlorophenol	1653	2.5 ug/l
Pentachlorophenol	1653	5.0 ug/l
AOX	1650	20 ug/l
COD		10 mg/l
BOD		5 mg/l
TSS		1.0 mg/l

*Methods 1650 and 1653 are defined at 40 CFR 430 Appendix A.

b. The permittee may use any approved method which has a QL equal to or lower than the (QL) listed in 6.a above. The QL is defined as the lowest concentration used to calibrate a measurement system in accordance with the procedures published for the method.

7. Compliance Reporting Under Part I.A.

a. Monthly Average -- Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in Part I.B.6.a shall be determined as follows: All data below the quantification level (QL) listed in Part I.B.6.a above shall be treated as zero. All data equal to or above the QL listed in Part I.B.6.a above shall be treated as it is reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, for the month. This arithmetic average shall be reported on the DMR as calculated. If all data are below the QL, then the average shall be reported as <QL.

b. Daily Maximum -- Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in Part I.B.6.a. shall be determined as follows: All data below the quantification level (QL) listed in Part I.B.6.a. above shall be treated as zero. All data equal to or above the QL shall be treated as reported. An arithmetic average of the values shall be calculated using all reported data, including the defined zeros, collected for each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL, then the average shall be reported as <QL.

c. Any single datum required shall be reported as "<QL" if it is less than the QL listed in Part I.B.6.a. above. Otherwise, the numerical value shall be reported.

d. Where possible, all limit values on the Part I.A. limits page(s) are expressed in two significant figures. As a result, single, trailing zeros occurring after any single digit are significant. Effluent limits of 10 or greater are rounded to two significant whole

numbers, with the exception that loading limits are expressed as whole numbers.

e. The permittee shall report at least the same number of significant figures as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., 5 always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

8. Materials Handling and Storage

Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of and/or stored in such a manner so as not to permit a discharge of such product, materials, industrial wastes and/or other wastes to State waters, except as expressly authorized.

9. Effluent Monitoring Frequencies

Should the facility permitted herein be issued a Warning Letter, a Notice of Violation, or be the subject of an active enforcement action for any of the parameters listed below for any outfall at the facility, the following effluent monitoring frequencies shall become effective starting with the next full month following notification and remain in effect until the permit's expiration date.

Effluent Parameter	Frequency
pH	1/Day
BOD5	3D/week
TSS	3D/week
AOX	1/Week

No other effluent limitations or monitoring requirements are affected by this special condition.

10. Groundwater Monitoring Program

The permittee shall continue sampling and reporting in accordance with the ground water monitoring plan and subsequent revisions previously approved. The purpose of this plan is to determine if the system integrity is being maintained and to indicate if activities at the site are resulting in violations of the State Water Control Board's Ground Water Standards. The approved plan and associated revisions is an enforceable part of the permit. Any changes to the plan must be submitted for approval to the DEQ Tidewater Regional Office.

If monitoring results indicate that any unit has contaminated the ground water, the permittee shall submit a corrective action plan

within 60 days of being notified by the regional office. The plan shall set forth the steps to be taken by the permittee to ensure that the contamination source is eliminated or that the contaminant plume is contained on the permittee's property. In addition, based on the extent of contamination, a risk analysis may be required. Once approved, this plan and/or analysis shall become an enforceable part of this permit.

The permittee shall submit an annual report presenting the results of the groundwater monitoring program. The report shall include a summary of the analytical data, map of water level elevations, a comparison of analytical data to the groundwater comparison values, and a conclusion on the adequacy of the Plan and any changes in the conditions at the ASB based on the data.

Submit First Annual Groundwater Report: Not Later Than March 31, 2011.

11. Sampling Methodology for Outfall 001

For all parameters identified in part I.A of this permit for which the monitoring frequency is specified as once per season, the monitoring shall include at least one sample taken during the final fourteen (14) days of the discharge season.

12. Use of Trichlorophenol or Pentachlorophenol as Biocides

The use of pentachlorophenol or any isomer of trichlorophenol as a biocide is prohibited at all times.

13. Discharge Flow Management for Outfall 001

a. Discharge from Outfall 001 is allowed only during the months of November, December, January, February and March; except as authorized in Part I.B.13.c. below

b. The discharge rate from Outfall 001 during the discharge season of November, December, January, February and March shall be evaluated once each day and adjusted if needed such that the instream waste concentration (IWC) is set at not more than sixty-five percent (65%), based on the adjusted headwater flows of the Blackwater River as determined by real-time stream level at the USGS station number 02049500 (or other properly designed station approved in advance by the Tidewater Regional Office) and International Paper's headwater flow tables located on the Blackwater River near Franklin, VA. If real-time data is not available for reasons outside of the permittee's control, the most recent valid streamflow data or best estimate shall be used. The permittee shall keep detailed records of streamflow and effluent flow data and the basis for any estimates to allow verification of daily IWC and shall make such records available to the Department for review upon request.

c. The permittee may discharge from outfall 001 during the **months of September and October** (out-of-season discharge), on a case-by-case basis upon approval from the DEQ Regional Office, **subject to the requirements below.**

1. Requirements for requesting such an out-of-season discharge shall be:

   a. The discharge rate shall be adjusted so that the IWC during each discharge day shall be no more than 45%, based on the criteria in Part I.B.13.b. above. The permittee shall demonstrate that this IWC will be met as part of the request for discharge.

   b. The permittee shall monitor in-stream D.O. once at each station listed in Part I.B.14. below prior to the out-of-season discharge event and submit the results to the DEQ as part of the request to discharge. The D.O. data and proposed discharge rate shall be reviewed by the permittee and the DEQ and the discharge rate adjusted so that all in-stream D.O. levels downstream of the permittee's outfall are maintained above applicable water quality standards for Virginia and North Carolina during the discharge event.

      If in-stream D.O. data indicate that D.O. levels are below water quality standards downstream of the permittee's outfall prior to the out-of-season discharge, the out-of-season discharge shall be managed as to not cause or contribute to any further decrease in the ambient in-stream D.O. levels, nor shall the discharge cause or contribute to other environmental impacts in the receiving stream.

2. Upon approval from DEQ, the permittee may discharge for a period commencing with increased river flows and shall cease discharging prior to river flows returning to historical averages. The permittee shall provide current river flow data and historical river flow data for the period of the proposed discharge as part of the request to discharge.

3. The permittee shall monitor the effluent once per discharge for all parameters listed in Part I.A. for outfall 001 excluding 2,3,7,8-TCDD and 2,3,7,8-TCDF and report the results according to Part I.A. of this permit. If an out-of-season discharge lasts for longer than seven calendar days, all monitoring frequency requirements listed in Part I.A. for outfall 001 shall apply (with the exception of 2,3,7,8-TCDD and 2,3,7,8-TCDF). All other effluent limitations and monitoring requirements listed in Part I.A. for outfall 001 shall be in effect for each out-of-season discharge. The

permittee shall submit a Discharge Monitoring Report (DMR) for each out-of-season discharge event.

4. The permittee shall provide supporting documentation in the form of statistical models and/or other evidence to show the out-of-season discharge caused no impacts to the receiving stream. This information shall be submitted with the Discharge Monitoring Report (DMR) for each out-of-season discharge event.

14. In-Stream D.O. Monitoring During the Discharge Season, November-March

a. The permittee shall regulate the discharge so that the dissolved oxygen (D.O.) standards of Virginia and North Carolina are maintained at all times downstream of the permittee's outfall. The permittee shall conduct D.O. monitoring at the stations listed below, weather permitting, as follows:

(1) At a minimum, three times at least 48 hours apart prior to release of effluent from Outfall 001;

(2) Daily from commencement of discharge from Outfall 001 until three consecutive days of in-stream D.O. levels are maintained above 5.5 mg/l at all stations; and

(3) Weekly for the remainder of the discharge season.

River and Station	Milepoint	Station Location Description
Blackwater	15.1	Norfolk, Franklin & Danville RR crossing
Blackwater	13.4	Washole Creek intersection
Blackwater	9.1	At South Quay, VA
Blackwater	2.5	At Cobb's Wharf
Nottoway	1.0	One mile above mouth of Chowan
Chowan	51.0	Chowan at Riddick's landing (North Carolina)
Chowan	47.0	Chowan at Gatlington Landing (North Carolina)
Chowan	44.0	Chowan at Chowan Island (Bartonsville, NC)
Chowan	41.0	Chowan just above Meherrin intersection (N.C.)

b. The permittee **shall submit a monthly report** of in-stream D.O. monitoring results with the corresponding monthly Discharge Monitoring Report (DMR) for Outfall 001.

15. Sampling Methodology for Outfall 103

a. For TCDD, TCDF and chlorinated phenolic compounds, a composite sample shall be obtained by combining a minimum of three grab samples of bleach plant effluent representative of the discharge collected within one 24-hour period, resulting in one sample of bleach plant effluent for analysis. All sample collection piping, tubing and lines shall be completely flushed with the process wastewater immediately prior to collection of a sample. If the bleach plant effluent consists of more than one waste stream, the individual waste streams may be sampled separately and the samples combined to prepare a flow-proportioned composite sample for analysis or, if samples are not combined, the results shall be algebraically combined on a flow-proportional basis and reported as one result.

b. For chloroform, a minimum of three separate grab samples of bleach plant effluent representative of the discharge shall be collected within one 24-hour period. All sample collection piping, tubing and lines shall be completely flushed with the process wastewater immediately prior to collection of a sample. Samples shall be cooled to below 35 degrees C before collection in the sample container and prior to any exposure to ambient air. Samples shall be collected in such a manner that splashing and air entrainment do not occur during filling of the sample container. Sample containers must be of a type appropriate for the collection and preservation of volatile organic materials. The analytical laboratory shall composite the samples at the time of analysis by analyzing one-third of each of the three grab samples for each waste stream, or by appropriate fraction if more than three grab samples are collected, and reporting a single result. If the bleach plant effluent consists of more than one waste stream, the individual waste streams must be sampled separately and shall not be combined, and the results shall be algebraically combined on a flow-proportional basis and reported as one result.

c. Where grab samples are specified, the grab samples shall be representative of the bleach plant effluent, and shall meet all requirements in 12.a. and 12.b. above, with the exception of the method of compositing the sample.

d. "Bleach plant effluent" is defined as the total discharge of process wastewaters from all process equipment used for bleaching in each physical bleach line, beginning with the first application of bleaching agent (including chlorine dioxide), each subsequent extraction stage, and each subsequent stage where bleaching agents are applied to the pulp. Wastewater from process equipment used for delignification prior to the application of bleaching agents is not part of the bleach plant effluent.

16. Measurement and Reporting of Kappa Number for Outfall 103

a. Monthly Average Kappa Number shall be determined by calculating the arithmetic mean of all K Number measurements made during the month according to I.B.16.c and multiplying the result by 1.33.

b. Beginning one year from the permit effective date, Kappa Annual Average-Softwood for F bleach line, for each monthly monitoring period shall be rolling averages calculated as the arithmetic mean of the twelve monthly average Kappa Number values for the current monitoring period and the preceding eleven corresponding monitoring periods.

c. K Number shall be determined for the unbleached pulp entering the bleach plant at the first stage of application of bleaching agent (including chlorine dioxide) and shall be measured according to facility procedure PT-1 or non-substantive revisions to this procedure which result in K Number values that do not differ by more than 2.3 percent from those of any previous revision. Revisions to this procedure for the purpose of demonstrating compliance with effluent limitations shall be documented and shall include a statistical analysis of before and after test results. Such documentation shall be retained according to the requirements of Part I.B of this permit.

17. Filtrate Recycling and Certification

a. All pulping process filtrates for F bleach line which are generated prior to the first stage of application of bleaching agent shall be recycled to the facility's chemical recovery system.

b. The permittee shall provide written notification to the Tidewater Regional Office of compliance with I.B.17.a **no later than January 31 each year.** The notification shall be signed in accordance with Part II.K.

18. New Discharge Characterization for Outfall 001

The permittee shall complete and submit Items V and VI of Form 2C, for outfall 001 as part of the application for reissuance of this permit.

Form 2C Information Due: No later than 180 days prior to expiration of the current permit.

19. Form 2F Sampling

The permittee shall complete and submit Part VII of Form 2F for outfall 009 with the application for reissuance of this permit.

Form 2F Information Due: No later than 180 days prior to expiration of the current permit.

C. BEST MANAGEMENT PRACTICES (BMPS) FOR SPENT PULPING LIQUOR, SOAP AND TURPENTINE MANAGEMENT, SPILL PREVENTION, AND CONTROL

1. Specialized definitions.

a. Action Level: A daily pollutant loading that when exceeded triggers investigative or corrective action.

b. Equipment Items: Any process vessel, storage tank, pumping system, evaporator, heat exchanger, recovery furnace or boiler, pipeline, valve, fitting, or other device that contains, processes, transports, or comes into contact with spent pulping liquor, soap, or turpentine.

c. Immediate Process Area: The location at the mill where pulping, screening, knotting, pulp washing, pulping liquor concentration, pulping liquor processing, and chemical recovery facilities are located, including spent pulping liquor storage and spill control tanks wherever located at the mill.

d. Intentional Diversion: The planned removal of spent pulping liquor, soap, or turpentine from equipment items in spent pulping liquor, soap, or turpentine service by the mill for any purpose including, but not limited to, maintenance, grade changes, or process shutdowns.

e. EHS Manager: The person designated by the permittee to review the BMP Plan. This person shall be the chief engineer at the mill, the manager of pulping and chemical recovery operations, or other such responsible person who has knowledge of pulping and chemical recovery operations.

f. Soap: The product of reaction between the alkali in kraft pulping liquor and fatty acid portions of the wood, which precipitate out when water is evaporated from the spent pulping liquor.

g. Spent Pulping Liquor: Black liquor that is used, generated, stored, or processed at any point in the pulping and chemical recovery processes.

h. Turpentine: A mixture of terpenes, principally pinene, obtained by the steam distillation of pine gum recovered from the condensation of digester relief gases from the cooking of softwoods by the kraft pulping process. Sometimes referred to as sulfate turpentine.

2. Requirement to Implement Best Management Practices.

The Best Management Practices (BMPs) specified in Part I.C.2.a. through j. must be developed according to best engineering practices and must be implemented in a manner that takes into account the specific circumstances at this mill. The BMPs are as follows:

a. The permittee must return spilled or diverted spent pulping liquors, soap, and turpentine to the process to the maximum extent practicable as determined by the mill, recover such materials outside the process, or release spilled or diverted material at a rate that does not disrupt the receiving wastewater treatment system.

b. The permittee must establish a program to identify and repair leaking equipment items. This program must include: (i) Regular visual

inspections of process areas with equipment items in spent pulping liquor, soap, and turpentine service; (ii) Immediate repair of leaking equipment items. Leaking equipment items that cannot be repaired during normal operations must be identified, temporary means for mitigating the leaks provided, and the leaking equipment items repaired during the next maintenance outage; (iii) Identification of conditions under which production will be curtailed or halted to repair leaking equipment items or to prevent pulping liquor, soap, and turpentine leaks and spills; and (iv) A means for tracking repairs over time to identify those equipment items where upgrade or replacement may be warranted based on the frequency and severity of leaks, spills, or failures.

c. The permittee must operate continuous, automatic monitoring systems that are determined necessary by the mill to detect and control leaks, spills, and intentional diversions of spent pulping liquor, soap, and turpentine. These monitoring systems should be integrated with the mill process control system and may include high level monitors and alarms on storage tanks; process area conductivity or pH monitors and alarms; and process area sewer, process wastewater, and wastewater treatment plant conductivity or pH monitors and alarms.

d. The permittee must establish a program of initial and refresher training of operators, maintenance personnel and other technical and supervisory personnel who have responsibility for operating, maintaining, or supervising the operation and maintenance of equipment items in spent pulping liquor, soap, and turpentine service. The refresher training must be conducted at least annually. The training program must be documented.

e. The permittee must prepare a report that evaluates each spill or intentional diversion of spent pulping liquor, soap, or turpentine that is not contained at the immediate process area. The report must describe the equipment items involved, the circumstances leading to the incident, the effectiveness of the corrective actions taken to contain and recover the spill or intentional diversion, and plans to develop changes to equipment and operating and maintenance practices as necessary to prevent recurrence. Discussion of the reports must be included as part of the annual refresher training.

f. The permittee must establish a program to review any planned modifications to the pulping and chemical recovery facilities and any construction activities in the pulping and chemical recovery areas before these activities commence. The purpose of such review is to prevent leaks and spills of spent pulping liquor, soap, and turpentine during the planned modifications, and to ensure that construction and supervisory personnel are aware of possible liquor diversions and of the requirement to prevent leaks and spills of spent pulping liquors, soap, and turpentine during construction.

g. The permittee must install and maintain secondary containment (i.e., containment constructed of materials impervious to pulping liquors) for spent pulping liquor bulk storage tanks equivalent to the volume of the largest tank plus sufficient freeboard for precipitation. An annual tank integrity testing program, if coupled with other containment or diversion structures, may be substituted for secondary containment for spent pulping liquor bulk storage tanks.

h. The permittee must install and maintain secondary containment for turpentine bulk storage tanks.

i. The permittee must install and maintain curbing, diking or other means of isolating soap and turpentine processing and loading areas from the wastewater treatment facilities.

j. The permittee must conduct wastewater monitoring to detect leaks and spills, to track the effectiveness of the BMPs, and to detect trends in spent pulping liquor losses. Such monitoring must be performed in accordance with Part I.C.8.

3. Requirement to develop a BMP Plan.

a. The permittee must prepare and implement a BMP Plan that is based on a detailed engineering review as described in Part I.C.3.b. and c., and that specifies the procedures and the practices required to meet the requirements of Part I.C.2., what construction the permittee determines is necessary to meet those requirements including a schedule for such construction, and the monitoring program (including the statistically derived action levels) that will be used to meet the requirements of Part I.C.8. The BMP Plan also must specify the period of time that the permittee determines the action levels established under Part I.C.7. may be exceeded without triggering the responses specified in Part I.C.8.

b. The permittee must conduct a detailed engineering review of the pulping and chemical recovery operation including but not limited to process equipment, storage tanks, pipelines and pumping systems, loading and unloading facilities, and other appurtenant pulping and chemical recovery equipment items in spent pulping liquor, soap, and turpentine service for the purpose of determining the magnitude and routing of potential leaks, spills, and intentional diversions of spent pulping liquors, soap, and turpentine during the following periods of operation: (i) Process start-ups and shut downs; (ii) Maintenance; (iii) Production grade changes; (iv) Storm or other weather events; (v) Power failures; and (vi) Normal operations.

c. As part of the engineering review, the permittee must determine whether existing spent pulping liquor containment facilities are of adequate capacity for collection and storage of anticipated intentional liquor diversions with sufficient contingency for collection and containment of spills. The engineering review must also consider: (i) The need for continuous, automatic monitoring systems to detect and control leaks and spills of spent pulping liquor, soap, and turpentine; (ii) The need for process wastewater diversion facilities to protect wastewater treatment facilities from adverse effects of spills and diversions of spent pulping liquors, soap, and turpentine; (iii) The potential for contamination of storm water from the immediate process areas; and (iv) The extent to which segregation and/or collection and treatment of contaminated storm water from the immediate process areas is appropriate.

4. Amendment of BMP Plan.

a. The permittee must amend the BMP Plan whenever there is a change in mill design, construction, operation, or maintenance that materially affects the potential for leaks or spills of spent pulping liquor, turpentine, or soap from the immediate process areas.

b. The permittee must complete a review and evaluation of the BMP Plan five years after the first BMP Plan is prepared and, except as provided in Part I.C.4.a., once every five years thereafter. As a result of this review and evaluation, the permittee must amend the BMP Plan within three months of the review if the permittee determines that any new or modified management practices and engineered controls are necessary to reduce significantly the likelihood of spent pulping liquor, soap, and turpentine leaks, spills, or intentional diversions from the immediate process areas, including a schedule for implementation of such practices and controls.

5. Review and certification of BMP Plan.

The BMP Plan, and any amendments thereto, must be reviewed, approved and signed by the permittee in accordance with Part II.K., certifying that the plan and any amendments thereto have been prepared in accordance with this permit.

6. Record keeping requirements.

a. A complete copy of the current BMP Plan and the records specified in Part I.C.6.b. must be maintained at the mill and made available to the Department for review upon request.

b. The permittee must maintain the following records for three years from the date they are created: (i) Records tracking the repairs performed in accordance with the repair program described in Part I.C.2.b.; (ii) Records of initial and refresher training conducted in accordance with Part I.C.2.d.; (iii) Reports prepared in accordance with Part I.C.2.e.; and (iv) Records of monitoring required by Parts I.C.2.j. and I.C.8.

7. Establishment of wastewater treatment system influent action levels.

a. The permittee must conduct a monitoring program, described in Part I.C.7.b., for the purpose of defining wastewater treatment system action levels, described in Part I.C.7.c., that will trigger requirements to initiate investigations on BMP effectiveness and to take corrective action.

b. The permittee must employ the following procedures in order to develop the action levels required by Part I.C.7.: (i) Monitoring parameters. The permittee must collect 24-hour composite samples and analyze the samples for a measure of organic content (e.g., Chemical Oxygen Demand (COD) or Total Organic Carbon (TOC)). Alternatively, the permittee may use a measure related to spent pulping liquor losses measured continuously and averaged over 24 hours (e.g., specific conductivity or color); (ii) Monitoring locations. Monitoring must be conducted at the point influent enters the wastewater treatment system. For the purposes of this requirement, the permittee may select alternate monitoring points in order to isolate possible sources of spent pulping liquor, soap, or turpentine from other possible sources of organic wastewaters that are tributary to the wastewater treatment facilities (e.g., bleach plants, paper machines and secondary fiber operations).

c. By the date prescribed in Part I.C.9.c. below, the permittee must complete an initial six-month monitoring program using the procedures specified in Part I.C.7.b. and must establish initial action levels based on the results of that program. The action levels must be determined by a statistical analysis of six months of daily measurements. The action levels must consist of a lower action level

which if exceeded will trigger investigation requirements and an upper action level which if exceeded will trigger corrective action requirements, as described in Part I.C.8.

d. By the date prescribed in Part I.C.9.f., the permittee must complete a second six-month monitoring program using the procedures specified in Part I.C.7.b. and must establish revised action levels based on the results of that program. The initial action levels shall remain in effect until replaced by revised action levels.

e. Action levels developed under this paragraph must be revised using six months of monitoring data after any change in mill design, construction, operation, or maintenance that materially affects the potential for leaks or spills of spent pulping liquor, soap, or turpentine from the immediate process areas.

8. Monitoring, corrective action, and reporting requirements.

a. The permittee must conduct daily monitoring of the influent to the wastewater treatment system in accordance with the procedures described in Part I.C.7.b. for the purpose of detecting leaks and spills, tracking the effectiveness of the BMPs, and detecting trends in spent pulping liquor losses.

b. Whenever monitoring results exceed the lower action level for the period of time specified in the BMP Plan, the permittee must conduct an investigation to determine the cause of such exceedance. Whenever monitoring results exceed the upper action level for the period of time specified in the BMP Plan, the permittee must complete corrective action to bring the wastewater treatment system influent mass loading below the lower action level as soon as practicable.

c. Although exceedances of the action levels will not constitute permit violations, failure to take the actions required by Part I.C.8.b. will be a permit violation.

d. The permittee must report to the Department annually by May 10th the results of the daily monitoring conducted pursuant to Part I.C.8.a. Such reports must include a summary of the monitoring results, the number and dates of exceedances of the applicable action levels, and brief descriptions of any corrective actions taken to respond to such exceedances.

9. Compliance deadlines.

a. Implement all BMPs specified in Part I.C.2. that do not require the construction of containment or diversion structures or the installation of monitoring and alarm systems not later than April 1, 2013.

b. Establish initial action levels required by Part I.C.7.c. not later than April 1, 2013.

c. Commence operation of any new or upgraded continuous, automatic monitoring systems that the permittee determines to be necessary under Part I.C.2.c. other than those associated with construction of containment or diversion structures not later than the effective date of the permit.

d. Complete construction and commence operation of any spent pulping liquor, collection, containment, diversion, or other facilities, including any associated continuous monitoring systems, necessary to fully implement BMPs specified in Part I.C.2. not later than April 1, 2013

e. Establish revised action levels required by Part I.C.7.d. as soon as possible after fully implementing the BMPs specified in Part I.C.2., but not later than December 1, 2013.

D. TOXICS MANAGEMENT PROGRAM (TMP)

1. Biological Monitoring – Outfall 001

a. The permittee shall conduct two acute and two chronic toxicity tests each discharge season. The acute test samples shall be collected using a grab sample of final effluent from outfall 001. The chronic test samples shall be collected using at least three grab samples of final effluent from outfall 001 during the chronic test. The second acute test shall be conducted during the second chronic test. The last grab sample for the second chronic test shall be collected within 14 days of the end of the discharge season. The acute tests shall be 48-hour static tests using Ceriodaphnia dubia, conducted in such a manner and at sufficient dilutions for calculation of a valid LC_{50}. The chronic tests shall be static renewal tests using Ceriodaphnia dubia. The C. dubia test shall be a 3-brood survival and reproduction test. These chronic tests shall be conducted in such a manner and at sufficient dilutions to determine the NOEC for survival and reproduction. **The results of all analyses shall be reported. Test results for each test shall be submitted by the 10th of the month after the month the test results were received.**

Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3

b. The permittee may provide additional samples to address data variability. These data shall be reported and may be included in the evaluation of the effluent toxicity. Test procedures and reporting shall be in accordance with 1.a above.

c. The following criteria shall be used in evaluating the toxicity test data generated in 1.a above:

(1) Acute LC_{50} greater than or equal to 100% effluent;

(2) Chronic NOEC greater than or equal to the IWC of 75%

d. If, in the testing according to I.D.1, any toxicity tests are invalidated, the tests shall be repeated within the testing period that the original test was taken, or if already past that period, within fourteen (14) days of notification. If there is no discharge during this period, a sample must be taken during the first allowable discharge.

e. All applicable data will be evaluated for reasonable potential at the conclusion of the test period. The data may be evaluated sooner if requested by the permittee, or if toxicity has been noted. Should evaluation of the data indicate that a limit is needed, a WET limit and compliance schedule will be required and the toxicity tests of D.1.a. may be discontinued.

2. Reporting Schedule

Each toxicity test report submitted in accordance with this Toxics Management Program shall identify the specific period represented. The permittee shall report the results and supply **one** complete copy of the toxicity test reports to the Tidewater Regional Office in accordance with the schedule below. A complete report must contain a copy of all laboratory benchsheets, certificates of analysis, and all chains of custody.

(a)	Conduct first set of two acute and two chronic biological tests	By March 31, 2011
(b)	Submit results of all biological tests	By the 10th of the month following the month in which test results were received but no later than May 10, 2011
(c)	Conduct second set of two acute and two chronic biological tests	By March 31, 2012
(d)	Submit results of all biological tests	By the 10th of the month following the month in which test results were received but no later than May 10, 2012
(e)	Conduct third set of two acute and two chronic biological tests	By March 31, 2013
(f)	Submit results of all biological tests	By the 10th of the month following the month in which test results were received but no later than May 10, 2013
(g)	Conduct fourth set of two acute and two chronic biological tests	By March 31, 2014
(h)	Submit results of all biological tests	By the 10th of the month following the month in which test results were received but no later than May 10, 2014
(i)	Conduct fifth set of two acute and two chronic biological tests	By March 31, 2015
(j)	Submit results of all biological tests	By the 10th of the month following the month in which test results were received but no later than May 10, 2015

D. STORM WATER MANAGEMENT CONDITIONS

1. Recording of Results

For each storm event monitored under Part I.A. of this permit, the permittee shall record and retain on site with the SWP3 the following information:

(1) The date and duration (in hours) of the storm event(s) sampled;

(2) The rainfall measurements or estimates (in inches) of the storm event which generated the sampled discharge; and

(3) The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event.

In addition, the permittee shall maintain a monthly log documenting the amount of rainfall received at this facility on a daily basis. This information shall be retained on site with the SWP3.

2. Sampling Waiver

When a permittee is unable to collect storm water samples required in Part I.A. or other applicable sections of this permit within a specified sampling period due to adverse climatic conditions, the permittee shall collect a substitute sample from a separate qualifying event in the next period and submit these data along with the data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

3. Representative Discharge

When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes substantially identical effluents are discharged, and the DEQ Tidewater Regional Office has approved them as such, the permittee may test the

effluent of one of such outfalls and report that the quantitative data also apply to the substantially identical outfall(s) provided that the permittee includes in the SWP3 a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [(i.e., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.

4. Quarterly Visual Examination of Storm Water Quality

Unless another more frequent schedule is established elsewhere within this permit, the permittee shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall. The examination(s) must be made at least once in each of the following three-month periods: January through March, April through June, July through September, and October through December.

(a) Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examination shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previous measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

(b) Visual examination reports must be maintained onsite with the SWP3. The report shall include the outfall location, the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

(c) When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfall(s) provided that the permittee includes in the SWP3 a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (i.e., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)) shall be provided in the plan.

(d) When the permittee is unable to conduct the visual examination due to adverse climatic conditions, the permittee must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examinations. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

5. Releases of Hazardous Substances or Oil in Excess of Reportable Quantities

The discharge of hazardous substances or oil in the storm water discharge(s) from a facility shall be

prevented or minimized in accordance with the applicable SWP3 for the facility. This permit does not authorize the discharge of hazardous substances or oil resulting from an onsite spill. Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110 (1998), 40 CFR 117 (1998) or 40 CFR 302 (1998) occurs during a 24-hour period, the permittee is required to notify the Department in accordance with the requirements of Part II.G. of this permit as soon as he or she has knowledge of the discharge. In addition, the storm water pollution prevention plan required by this permit must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110 (1998), 40 CFR 117 (1998) and 40 CFR 302 (1998) or . 62.1-44.34:19 of the Code of Virginia.

6. Allowable Non-Storm Water Discharges

(a). The following non-storm water discharges are authorized by this permit provided the non-storm water component of the discharge is in compliance with Part g.(2), below.

(1) Discharges from fire fighting activities;

(2) Fire hydrant flushings;

(3) Potable water including water line flushings;

(4) Uncontaminated air conditioning or compressor condensate;

(5) Irrigation drainage;

(6) Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with manufacturer's instructions;

(7) Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);

(8) Routine external building wash down which does not use detergents;

(9) Uncontaminated ground water or spring water;

(10) Foundation or footing drains where flows are not contaminated with process materials such as solvents;

(11) Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

(b). For all regularly-occurring discharges listed in g.(1) above that occur in industrial areas, the Storm Water Pollution Prevention Plan must include:

(a) Identification of each allowable non-storm water source;

(b) The location where the non-storm water is likely to be discharged; and

(c) Descriptions of any BMPs that are being used for each source.

(c). If mist blown from cooling towers is included as one of the allowable non-storm water discharges from the facility, the permittee must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower, and must select and implement BMPs to control such discharges so that the levels of cooling tower chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard.

7. Storm Water Pollution Prevention Plan (SWP3)

A storm water pollution prevention plan (SWP3) shall be developed for the facility. The SWP3 shall be prepared in accordance with good engineering practices. The SWP3 shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the SWP3 shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. The permittee must implement the provisions of the SWP3 as a condition of this permit.

The SWP3 requirements of this permit may be fulfilled by incorporating by reference other plans or documents such as an

erosion and sediment control plan, a spill prevention control and countermeasure (SPCC) plan developed for the facility under Section 311 of the Clean Water Act or best management practices (BMP) programs otherwise required for the facility provided that the incorporated plan meets or exceeds the SWP3 requirements of this section. If an erosion and sediment control plan is being incorporated by reference, it shall have been approved by the locality in which the activity is to occur or by another appropriate plan approving authority authorized under the Virginia Erosion and Sediment Control Regulation 4 VAC 50-30-10 et seq. All plans incorporated by reference into the SWP3 become enforceable under this permit.

a. Deadlines for SWP3 Preparation and Compliance

Existing Facilities

The facility shall prepare and implement the SWP3 as expeditiously as practicable. Verification of compliance with the above deadline shall be provided to the DEQ Tidewater Regional Office, in writing, within 10 days of either the deadline or the actual completion date, if completed earlier.

Prepare/Implement Plan: No later than November 10, 2013

(1) Measures That Require Construction

In cases where construction is necessary to implement measures required by the SWP3, the SWP3 shall contain a schedule that provides compliance with the plan as expeditiously as practicable, but no later than 3 years after the effective date of the permit. Where a construction compliance schedule is included in the SWP3, the schedule shall include appropriate nonstructural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure.

b. Signature and SWP3 Review

(1) Signature/Location

The SWP3 shall be signed in accordance with Part II.K. of this permit and be retained onsite at the facility which generates the storm water discharge in accordance with Part II.B. of this permit. For inactive facilities, the SWP3 may be kept at the nearest office of the permittee.

(2) Availability

The permittee shall make the SWP3, annual site compliance inspection report, or other information available to the DEQ upon request.

(3) Required Modifications

The Tidewater Regional Office may notify the permittee at any time that the SWP3 does not meet one or more of the minimum requirements of the permit. Such notification shall identify those provisions of the permit which are not being met by the SWP3, and identify which provisions of the plan require modifications in order to meet the minimum requirements of this permit. Within 60 days of such notification, the permittee shall make the required changes to the SWP3 and shall submit to the DEQ Tidewater Regional Office a written certification that the requested changes have been made.

c. Keeping SWP3s Current

The permittee shall amend the SWP3 whenever there is a change in design, construction, operation, or maintenance which has a significant effect on the potential for the discharge of pollutants to surface waters of the State or if the SWP3 proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under section d. below, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. New owners shall review the existing SWP3 and make appropriate changes. Amendments to the plan may be reviewed by the Department in the same manner as noted in section b. above.

d. Contents of SWP3

The contents of the SWP3 shall comply with the requirements listed below and those in Part I. .5. (Facility-specific Storm Water Conditions) of this permit; these requirements are cumulative. The SWP3 shall include, at a minimum, the following items.

(1) Pollution Prevention Team

The SWP3 shall identify a specific individual or individuals within the facility organization as members of a storm water pollution prevention team that are responsible for developing the SWP3 and

assisting the facility or plant manager in its implementation, maintenance, and revision. The SWP3 shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's SWP3.

(2) Description of Potential Pollutant Sources

The SWP3 shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or that may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. The SWP3 shall identify all activities and significant materials which may potentially be significant pollutant sources. The SWP3 shall include, at a minimum:

(a) Drainage

i. A site map indicating an outline of the portions of the drainage area of each storm water outfall within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under section (2)(c) below have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage or disposal of wastes and wastewaters; locations used for the treatment, filtration or storage of water supplies; liquid storage tanks; processing areas; and, storage areas. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of these outfalls.

ii. For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a

prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in the storm water discharges. Factors to consider include: the toxicity of chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and, history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

(b) Inventory of Exposed Materials

An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three years prior to the effective date of this permit and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of three years prior to the effective date of this permit and the present; the location and a description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

(c) Spills and Leaks

A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of three years prior to the effective date of this permit. Such list shall be updated as appropriate during the term of the permit.

(d) Sampling Data
A summary of existing discharge sampling data describing pollutants in storm water

discharges from the facility, including a summary of sampling data collected during the term of this permit.

(e) Risk Identification and Summary of Potential Pollutant Sources

A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and, on-site waste disposal practices and wastewater treatment activities to include sludge drying, storage, application or disposal activities. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, total suspended solids, etc.) of concern shall be identified.

(3) Measures and Controls

The permittee shall develop a description of storm water management controls appropriate for the facility and implement these controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls.

(a) Good Housekeeping

Good housekeeping requires the clean and orderly maintenance of areas which may contribute pollutants to storm water discharges. The SWP3 shall describe procedures performed to minimize contact of materials with storm water runoff. Particular attention should be paid to areas where raw materials are stockpiled, material handling areas, storage areas, liquid storage tanks, material handling areas, and loading/unloading areas.

(b) Preventive Maintenance

A preventive maintenance program shall involve: timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, catch basins); inspection and testing of facility equipment and systems to uncover conditions that could cause breakdowns or failures which could result in discharges of pollutants to surface waters; and, appropriate maintenance of such equipment and systems.

(c) Spill Prevention and Response Procedures

Areas where potential spills may occur which can contribute pollutants to storm water discharges, and their accompanying drainage points shall be identified clearly in the SWP3. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the SWP3 and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to the appropriate personnel.

(d) Inspections

In addition to or as part of the comprehensive site compliance evaluation required under section d.(4) below, qualified facility personnel who are familiar with the industrial activity, the Best Management Practices (BMPs) and the SWP3 shall be identified to inspect designated equipment and areas of the facility at appropriate intervals. The inspection frequency shall be specified in the plan based upon a consideration of the level of industrial activity at the facility, but shall be a minimum of quarterly unless more frequent intervals are specified elsewhere in the permit. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained with the pollution prevention plan.

(e) Employee Training

Employee training programs shall inform personnel responsible for implementing activities identified in the SWP3 or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The SWP3 shall identify periodic dates for such training.

(f) Recordkeeping and Internal Reporting Procedures

A description of incidents such as spills, or other discharges, along with other information describing the quality and quantity of storm water discharges shall be included in the SWP3. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

(g) Sediment and Erosion Control

The SWP3 shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

(h) Management of Runoff

The SWP3 shall contain a narrative consideration of the appropriateness of traditional storm water management practices [practices other than those which control the generation or source(s) of pollutants] used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The SWP3 shall provide for the implementation and maintenance of

measures that the permittee determines to be reasonable and appropriate. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices; reuse of collected storm water (such as for a process or as an irrigation source); inlet controls (such as oil/water separators); snow management activities; infiltration devices; wet detention/retention devices; or, other equivalent measures.

(4) Comprehensive Site Compliance Evaluation

Qualified facility personnel who are familiar with the industrial activity, the BMPs and the SWP3 shall conduct site compliance evaluations at appropriate intervals specified in the SWP3, but, in no case less than once a year during the permit term. Such evaluations shall include the following.

(a) Areas contributing to a storm water discharge associated with industrial activity, such as material storage, handling and disposal activities, shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the SWP3 shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the SWP3, such as spill response equipment, shall be made.

(b) Based on the results of the evaluation, the description of potential pollutant sources identified in the SWP3 in accordance with section d.(2) above and pollution prevention measures and controls identified in the SWP3 in accordance with section d.(3) above shall

be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the SWP3 in a timely manner, but in no case more than 12 weeks after the evaluation.

(c) A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP3, and actions taken in accordance with section (4)(b) above shall be made and retained as part of the SWP3 for at least three years from the date of the evaluation. The report shall identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with the SWP3 and this permit. The report shall be signed in accordance with Part II.K. of this permit.

(d) Where compliance evaluation schedules overlap with inspections required under section d.(3)(d), the compliance evaluation may be conducted in place of one such inspection.

e. Special Pollution Prevention Plan Requirements

In addition to the minimum standards listed in section d. above and those in Part I._.5. (Facility-specific Storm Water Conditions) of this permit, the SWP3 shall include a complete discussion of measures taken to conform with the following applicable guidelines.

(1) Additional Requirements for Storm Water Discharges Associated with Industrial Activity from Facilities Subject to Emergency Planning and Community Right-to Know Act (EPCRA) Section 313 Requirements

In addition to the requirements of Part I._.5. (Facility-specific Storm Water Conditions) of this permit, and other applicable conditions of this permit, SWP3s for facilities subject to reporting requirements under EPCRA Section 313 prior to May 1, 1997, for chemicals which are classified as Section 313 water priority chemicals in accordance with the definition at the end of this section, except as provided in section e.(1)(b)ii. below, and where there is the potential for these chemicals to mix with storm water discharges, shall

describe and ensure the implementation of practices which are necessary to provide for conformance with the following guidelines.

(a) In areas where Section 313 water priority chemicals are stored, processed or otherwise handled, appropriate containment, drainage control and/or diversionary structures shall be provided unless otherwise exempted under section e.(1)(c) below. At a minimum, one of the following preventive systems or its equivalent shall be used:

i. Curbing, culverting, gutters, sewers or other forms of drainage control to prevent or minimize the potential for storm water runon to come into contact with significant sources of pollutants; or

ii. Roofs, covers or other forms of appropriate protection to prevent storage piles from exposure to storm water and wind.

(b) In addition to the minimum standards listed under section e.(1) above and except as otherwise exempted under section e.(1)(c) below, the SWP3 shall include a complete discussion of measures taken to conform with other effective storm water pollution prevention procedures, and applicable state rules, regulations, and guidelines.

i. Liquid Storage Areas Where Storm Water Comes Into Contact with Any Equipment, Tank, Container, or Other Vessel Used for Section 313 Water Priority Chemicals

- No tank or container shall be used for the storage of a Section 313 water priority chemical unless its material and construction are compatible with the material stored and conditions of storage such as pressure, temperature, etc.

- Liquid storage areas for Section 313 water priority chemicals shall be operated to minimize discharges of these chemicals. Appropriate

measures to minimize discharges of Section 313 water priority chemicals may include secondary containment provided for at least the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation, a strong spill contingency and integrity testing plan, and/or other equivalent measures.

ii. Material Storage Areas for Section 313 Water Priority Chemicals Other Than Liquids

Material storage areas for Section 313 water priority chemicals other than liquids which are subject to storm water runoff, leaching, or wind effects shall incorporate drainage or other control features which will minimize the discharge of Section 313 water priority chemicals by reducing storm water contact with those chemicals.

iii. Truck and Rail Car Loading and Unloading Areas for Liquid Section 313 Water Priority Chemicals

Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals shall be operated to minimize discharges of those chemicals. Protection such as overhangs or door skirts to enclose trailer ends at truck loading/unloading docks shall be provided as appropriate. Appropriate measures to minimize discharges of Section 313 chemicals may include: the placement and maintenance of drip pans (including the proper disposal of materials collected in the drip pans) where spillage may occur (such as hose connections, hose reels and filler nozzles) when making and breaking hose connections; a strong spill contingency and integrity testing plan; and/or other equivalent measures.

iv. Areas Where Section 313 Water Priority Chemicals are Transferred, Processed or Otherwise Handled

Processing equipment and materials handling equipment shall be operated so as to minimize discharges of Section 313 water priority chemicals. Materials used in piping and equipment shall be compatible with the substances handled. Drainage from process and materials handling areas shall minimize storm water contact with Section 313 water priority chemicals. Additional protection such as covers or guards to prevent exposure to wind effects, spraying or releases from pressure relief vents from causing a discharge of Section 313 water priority chemicals to the drainage system shall be provided as appropriate. Visual inspections or leak tests shall be provided for overhead piping conveying Section 313 water priority chemicals without secondary containment.

v. Discharges from Areas Covered by Paragraphs i., ii., iii. or iv.

- Drainage from areas covered by paragraphs i., ii., iii. or iv. of this section should be restrained by valves or other positive means to prevent the discharge of a spill or other excessive leakage of Section 313 water priority chemicals. Where containment units are employed, such units may be emptied by pumps or ejectors; however, these shall be manually activated.

- Flapper-type drain valves shall not be used to drain containment areas. Valves used for the drainage of containment areas should, as far as is practical, be of manual, open-and-closed design.

- If facility drainage is not engineered as above, the final discharge of all in-facility storm sewers shall be equipped to be equivalent with a diversion system that could, in the event of an uncontrolled spill of Section 313 water priority chemicals, return the spilled material to the facility.

- Records shall be kept of the frequency and estimated volume (in gallons) of discharges from containment areas.

vi. Facility Site Runoff Other Than From Areas Covered by i., ii., iii. or iv.

Other areas of the facility [those not addressed in paragraphs i., ii., iii. or iv.], from which runoff which may contain Section 313 water priority chemicals or where spills of Section 313 water priority chemicals could cause a discharge, shall incorporate the necessary drainage or other control features to prevent discharge of spilled or improperly disposed material and ensure the mitigation of pollutants in storm water runoff or leachate.

vii. Preventive Maintenance and Housekeeping

All areas of the facility shall be inspected at specific intervals identified in the SWP3 for leaks or conditions that could lead to discharges of Section 313 water priority chemicals or for direct contact of storm water with raw materials, intermediate materials, waste materials or products. In particular, facility piping, pumps, storage tanks and bins, pressure vessels, process and material handling equipment, and material bulk storage areas shall be examined for any conditions or failures which could cause a discharge. Inspection shall include examination for leaks, corrosion,

support or foundation failure, effects of wind blowing, or other forms of deterioration or noncontainment. Inspection intervals shall be specified in the plan and shall be based on design and operational experience. Different areas may require different inspection intervals. Where a leak or other condition is discovered which may result in significant releases of Section 313 water priority chemicals to waters of the State, action to stop the leak or otherwise prevent the significant release of Section 313 water priority chemicals to waters of the State shall be immediately taken or the unit or process shut down until such action can be taken. When a leak or noncontainment of a Section 313 water priority chemical has occurred, contaminated soil, debris, or other material must be promptly removed and disposed in accordance with Federal, State, and local requirements and as described in the plan.

viii. Facility Security

Facilities shall have the necessary security systems to prevent accidental or intentional entry which could cause a discharge. Security systems described in the plan shall address fencing, lighting, vehicular traffic control, and securing of equipment and buildings.

ix. Training

Facility employees and contractor personnel that work in areas where Section 313 water priority chemicals are used or stored shall be trained in and informed of preventive measures at the facility. Employee training shall be conducted at intervals specified in the plan, but not less than once per year. Training shall address pollution control laws and regulations, the SWP3 and the particular features of the facility and its operation which are designed to minimize discharges of Section 313 water priority chemicals. The SWP3 shall designate a person who is accountable

for spill prevention at the facility and who will set up the necessary spill emergency procedures and reporting requirements so that spills and emergency releases of Section 313 water priority chemicals can be isolated and contained before a discharge of those chemicals can occur. Contractor or temporary personnel shall be informed of facility operation and design features in order to prevent discharges or spills from occurring.

(c) Facilities subject to reporting requirements under EPCRA Section 313 for chemicals that are classified as Section 313 water priority chemicals, in accordance with the definition at the end of this section, that are handled and stored onsite only in gaseous or nonsoluble liquid or solid (at atmospheric pressure and temperature) forms may provide a certification as such in the SWP3 in lieu of the additional requirements in section e.(1) above. Such certification shall include a narrative description of all water priority chemicals and the form in which they are handled and stored, and shall be signed in accordance with Part II.K. of this permit.

(d) The SWP3 shall be certified in accordance with Part II.K. of this permit.

(2) Requirements for Salt Storage

Storage piles of salt used for deicing or other commercial or industrial purposes and which generate a storm water discharge associated with industrial activity which is discharged to surface waters of the State shall be enclosed or covered to prevent exposure to precipitation, except for exposure resulting from adding or removing materials from the pile. Piles do not need to be enclosed or covered where storm water from the pile is not discharged to surface waters of the State.

"Section 313 Water Priority Chemicals" means a chemical or chemical categories which: 1) are listed at 40 CFR Part 372.65 (1998) pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986) (42 USC 11001 et seq.); 2) are present at or above threshold levels at a facility subject to EPCRA Section 313

reporting requirements; and 3) that meet at least one of the following criteria: (i) are listed in Appendix D of 40 CFR Part 122 (1998) on either Table II (organic priority pollutants), Table III (certain metals, cyanides and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) are listed as a hazardous substance pursuant to section 311(b)(2)(A) of the Clean Water Act at 40 CFR Part 116.4 (1998); or (iii) are pollutants for which EPA has published acute or chronic water quality criteria.

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.

2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.

3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records.

1. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;

   b. The individual(s) who performed the sampling or measurements;

   c. The date(s) and time(s) analyses were performed;

   d. The individual(s) who performed the analyses;

   e. The analytical techniques or methods used; and

   f. The results of such analyses.

2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be

extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

Department of Environmental Quality
Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach, VA 23462

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.

3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.

4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information.

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports.

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges.

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or

2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges.

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;

2. The cause of the discharge;

3. The date on which the discharge occurred;

4. The length of time that the discharge continued;

5. The volume of the discharge;

6. If the discharge is continuing, how long it is expected to continue;

7. If the discharge is continuing, what the expected total volume of the discharge will be; and

8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges.

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;

2. Breakdown of processing or accessory equipment;

3. Failure or taking out of service some or all of the treatment works; and

4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:

   a. Any unanticipated bypass; and

   b. Any upset which causes a discharge to surface waters.

2. A written report shall be submitted within 5 days and shall contain:

   a. A description of the noncompliance and its cause;

   b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and

c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the Department's Regional Office at (757) 518-2000 (voice), and online http://www.deq.virginia.gov/prep/h2rpt.html . For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.

J. Notice of Planned Changes.

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or

(2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal

practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements.

1. Applications. All permit applications shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described in Part II K 1;

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

   c. The written authorization is submitted to the Department.

3. Changes to Authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:

   "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply.

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with

certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply.

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit.

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law.

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance.

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of Solids or Sludges.

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate.

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.

2. Notice

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.

b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.

3. Prohibition of bypass.

a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part II U 2.

b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An upset occurred and that the permittee can identify the cause(s) of the upset;

b. The permitted facility was at the time being properly operated;

c. The permittee submitted notice of the upset as required in Part II I; and

d. The permittee complied with any remedial measures required under Part II S.

3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry.

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions.

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.

2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:

   a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;

   b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

   c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability.

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.